

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KEITH L. JONES,

Plaintiff,

V.

Civil Action 2:11-CV-1104
Judge Smith
Magistrate Judge King

WARDEN ROBINSON,
CHILLICOTHE CORRECTIONAL
INSTITUTION,

Defendant.

ORDER

On December 12, 2011, the United States Magistrate Judge, construing the action as one sounding in habeas corpus under 28 U.S.C. §2254, recommended that plaintiff's application for leave to proceed *in forma pauperis* be denied and that the petition for a writ of habeas corpus be dismissed as without merit. *Report and Recommendation*, Doc. No. 2. Although plaintiff was advised of his right to object, and of the consequences of his failure to do so, plaintiff has filed no objection.

The *Report and Recommendation*, Doc. No. 2, is **ADOPTED and AFFIRMED**. Plaintiff's application for leave to proceed *in forma pauperis* is **DENIED** and this action is **DISMISSED** as without merit.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this action.

s/George C. Smith
George C. Smith, Judge
United States District Court